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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 ALLEN EUGENE GREGORY,
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12 Petitioner,

13 v.

14 DONALD R. HOLBROOK,
Respondent.

CASE NO. 3:22-CV-5426-TL-DWC
ORDER DIRECTING RESPONSE

15 On February 14, 2023, Petitioner, through counsel, filed a Second Renewed Motion to
16 Appoint Counsel and Motion to Continue Due Date. Dkt. 19. Petitioner seeks appointment of
17 counsel to represent him in this 28 U.S.C. § 2254 action. *Id.* Specifically, Petitioner requests the
18 Federal Public Defender (“FPD”) and Michael Filipovic, a private attorney, be appointed to
19 represent him. He also requests a six-month continuance to file a traverse. *Id.* Petitioner states
20 Respondent’s counsel informed Mr. Filipovic that Respondent did not oppose a six-month
21 continuance. *Id.* However, there is no indication Respondent does not oppose appointment of
22 counsel. Respondent did not file a response to the Motion.
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1 After review of Petitioner's Motion, the Court orders Respondent to file a response. The
2 parties are directed to comply with the following briefing schedule:

- 3 • Respondent is ordered to file a response to Petitioner's Motion (Dkt. 19) on or
4 before March 20, 2023.
- 5 • Petitioner may file an optional reply to Respondent's response on or before March
6 24, 2023.

7 The Clerk is directed to re-note Petitioner's Motion (Dkt. 19) and Respondent's Answer
8 (Dkt. 12) for March 24, 2023.

9 Dated this 9th day of March, 2023.

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12 David W. Christel
13 Chief United States Magistrate Judge
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